

UTILITY PATENT APPLICATION TRANSMITTAL

Only for new nonprovisional applications under 37 CFR 1.53(B))

Docket Number

VT-2165/DIV

First Inventor

Jeremy Barker

Title

Methods of Making Lithium Metal
Cathode Active Materials

Express Mail Label No.

EU785350423US

2389 U.S. PTO
10/688643

100903

APPLICATION ELEMENTS

ADDRESS TO:

 Commissioner for Patents
 Mail Stop Patent Application
 P.O. Box 1450
 Alexandria, VA 22313-1450

 1. ☒ Fee Transmittal Form
 (Submit an original and a duplicate for fee processing)

 2. ☐ Applicant Claims Small Entity Status
 See 37 CFR 1.27.

 3. ☒ Specification [Total Pages **70**]
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table
 or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure

 4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets **10**]

 5. ☒ Oath or Declaration [Total Pages **3**]

- a. ☐ Newly executed (original or copy)
- b. ☒ Copy from a prior application (37 CFR 1.63(d))
 (for continuation/divisional with Box 18 completed)
- i. ☐ DELETION OF INVENTOR(S)
 Signed statement attached deleting inventor(s)
 Named in the prior application, see 37 CFR
 1.63(D)(2) and 1.33(b)

 6. ☒ Application Data Sheet. See 37 CFR 1.76

 7. ☐ CD-ROM or CD-R in duplicate, large table or
 Computer Program (Appendix)

8. Nucleotide and/or Amino Sequence Submission

- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

 9. ☐ Assignment Papers (cover sheet and documents)

 10. ☐ 37 CFR 3.73(b) Statement ☒ Power of
 (when there is an assignee) Attorney

 11. ☐ English Translation Document (if applicable)

 12. ☐ Information Disclosure ☐ Copies of
 Statement (IDS)/PTO-1449 Citations

 13. ☐ Preliminary Amendment

 14. ☒ Return Receipt Postcard (MPEP 503)
 (Should be specifically itemized)

 15. ☐ Certified Copy of Priority Document(s)
 (if foreign priority is claimed)

 16. ☐ Nonpublication Request under 35 U.S.C. 122
 (b)(2)(B)(i). Applicant must attach form PTO/SB/35
 or its equivalent

 17. ☒ Other: Certificate of Express Mailing

 18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary
 amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application no.: 09/724,085

Prior application information: Examiner: Edward M. Johnson

Group Art Unit: 1754

 For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under
 Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.
 The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number of Bar Code Label

 or ☐ Correspondence address below

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Cynthia S. Kovacevic

PATENT & TRADEMARK OFFICE

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City/Country

Henderson, Nevada

Name (Print/Type)

Roger A. Williams

Registration No. (Attorney/Agent)

27,679

Signature

Date

10/09/2003

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

FEE TRANSMITTAL for FY 2003

☐ Applicant claims small entity status. See 37 CFR 1.27
TOTAL AMOUNT OF PAYMENT (\$)**1126**

Application Number	TBD
Filing Date	10/09/2003
First Named Inventor	Jeremy Barker
Examiner Name	Edward M. Johnson
Group Art Unit	1754
Attorney Docket No.	VT-2165/DIV

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)																																																																																								
<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money <input type="checkbox"/> Other None Order <input checked="" type="checkbox"/> Deposit Account Deposit Account Number 220100 Deposit Account Name Valence Technology, Inc. The Commissioner is authorized to: (check all that apply) <input checked="" type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments <input checked="" type="checkbox"/> Charge any additional fee(s) during the pendency of this application <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		3. ADDITIONAL FEES <table border="1"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr><td>1051 130</td><td>2051 65</td><td>Surcharge - late filing fee or oath</td></tr> <tr><td>1052 50</td><td>2052 25</td><td>Surcharge - late provisional filing fee or cover sheet</td></tr> <tr><td>1053 130</td><td>1053 130</td><td>Non-English specification</td></tr> <tr><td>1812 2,520</td><td>1812 2,250</td><td>For filing a request for <i>ex parte</i> reexamination</td></tr> <tr><td>1804 920*</td><td>1804 920*</td><td>Requesting publication of SIR prior to Examiner action</td></tr> <tr><td>1805 1,840*</td><td>1805 1,840*</td><td>Requesting publication of SIR after Examiner action</td></tr> <tr><td>1251 110</td><td>2251 55</td><td>Extension for reply within first month</td></tr> <tr><td>1252 420</td><td>2252 210</td><td>Extension for reply within second month</td></tr> <tr><td>1253 950</td><td>2253 475</td><td>Extension for reply within third month</td></tr> <tr><td>1254 2,010</td><td>2254 1,005</td><td>Extension for reply within fourth month</td></tr> <tr><td>1255 1,970</td><td>2255 985</td><td>Extension for reply within fifth month</td></tr> <tr><td>1401 330</td><td>2401 165</td><td>Notice of Appeal</td></tr> <tr><td>1402 330</td><td>2402 165</td><td>Filing a brief in support of an appeal</td></tr> <tr><td>1403 290</td><td>2403 145</td><td>Request for oral hearing</td></tr> <tr><td>1451 1,510</td><td>1451 1,510</td><td>Petition to institute a public use proceeding</td></tr> <tr><td>1452 110</td><td>2452 55</td><td>Petition to revive - unavoidable</td></tr> <tr><td>1453 1,330</td><td>2453 665</td><td>Petition to revive - unintentional</td></tr> <tr><td>1501 1,330</td><td>2501 665</td><td>Utility issue fee (or reissue)</td></tr> <tr><td>1502 480</td><td>2502 240</td><td>Design issue fee</td></tr> <tr><td>1503 640</td><td>2503 320</td><td>Plant issue fee</td></tr> <tr><td>1460 130</td><td>1460 130</td><td>Petitions to the Commissioner</td></tr> <tr><td>1807 50</td><td>1807 50</td><td>Processing fee under 37 CFR 1.17(q)</td></tr> <tr><td>1806 180</td><td>1806 180</td><td>Submission of Information Disclosure Stmt</td></tr> <tr><td>8021 40</td><td>8021 40</td><td>Recording each patent assignment per property (times number of properties)</td></tr> <tr><td>1809 770</td><td>2809 385</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td></tr> <tr><td>1810 770</td><td>2810 385</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td></tr> <tr><td>1801 770</td><td>2801 385</td><td>Request for Continued Examination (RCE)</td></tr> <tr><td>1802 900</td><td>1802 900</td><td>Request for expedited examination of a design application</td></tr> </tbody> </table>		Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	1051 130	2051 65	Surcharge - late filing fee or oath	1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	1053 130	1053 130	Non-English specification	1812 2,520	1812 2,250	For filing a request for <i>ex parte</i> reexamination	1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	1251 110	2251 55	Extension for reply within first month	1252 420	2252 210	Extension for reply within second month	1253 950	2253 475	Extension for reply within third month	1254 2,010	2254 1,005	Extension for reply within fourth month	1255 1,970	2255 985	Extension for reply within fifth month	1401 330	2401 165	Notice of Appeal	1402 330	2402 165	Filing a brief in support of an appeal	1403 290	2403 145	Request for oral hearing	1451 1,510	1451 1,510	Petition to institute a public use proceeding	1452 110	2452 55	Petition to revive - unavoidable	1453 1,330	2453 665	Petition to revive - unintentional	1501 1,330	2501 665	Utility issue fee (or reissue)	1502 480	2502 240	Design issue fee	1503 640	2503 320	Plant issue fee	1460 130	1460 130	Petitions to the Commissioner	1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	1806 180	1806 180	Submission of Information Disclosure Stmt	8021 40	8021 40	Recording each patent assignment per property (times number of properties)	1809 770	2809 385	Filing a submission after final rejection (37 CFR § 1.129(a))	1810 770	2810 385	For each additional invention to be examined (37 CFR § 1.129(b))	1801 770	2801 385	Request for Continued Examination (RCE)	1802 900	1802 900	Request for expedited examination of a design application
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Name (Print/Type)	Roger A. William	Registration No. (Attorney/Agent)	27,679	Telephone	702-558-1000
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Signature		Date	10/09/2003
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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.10

In re Application of VT-2165/DIV

Filed: 10/09/2003


Applicants: Barker et al.

Title: Methods of Making Lithium Metal Cathode Active Materials

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Name: Kathleen Juliano